

HOUSE BILL REPORT

EHB 3168

As Passed House:
February 16, 2010

Title: An act relating to providing taxpayers additional appeal protections for value changes.

Brief Description: Providing taxpayers additional appeal protections for value changes.

Sponsors: Representatives Orcutt and McCune.

Brief History:

Committee Activity:

Finance: 2/9/10 [DP].

Floor Activity:

Passed House: 2/16/10, 98-0.

Brief Summary of Engrossed Bill

- Allows an exception to the property tax appeal deadline if the taxpayer's property was in the revaluation area and did not receive a property value change notice because the value did not change.

HOUSE COMMITTEE ON FINANCE

Majority Report: Do pass. Signed by 8 members: Representatives Hunter, Chair; Hasegawa, Vice Chair; Orcutt, Ranking Minority Member; Condotta, Conway, Ericks, Santos and Springer.

Staff: Rick Peterson (786-7150).

Background:

All real and personal property in this state is subject to property tax each year based on its value unless a specific exemption is provided by law. The county assessor determines assessed value for each property. Property subject to property tax is assessed at its true and fair value. In most cases, this is the market value in the property's highest and best use. The values are set as of January 1. These values are then used for determining property tax bills to be collected in the following year.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

County assessors establish new assessed values on a regular revaluation cycle. The length of revaluation cycles vary by county. Currently, 19 counties revalue property every four years, one county every three years, and one county every two years. For these counties, a proportionate share of the county properties are revalued during each year of the cycle while the other individual property values within the county remain unchanged during the intervening years of the revaluation cycle. Eighteen counties in Washington revalue annually based on market value statistical data.

When the assessor changes the property value they provide the property owner with a notice of the change. These revaluation notices are mailed within 30 days of the completed appraisal. If the value of the real property appraised has not changed, then a revaluation notice does not need to be sent to the taxpayer. Generally, in counties using two-, three-, or four-year revaluation cycles revaluation notices are only sent to taxpayers in the revaluation year and not in the intervening years.

County boards of equalization provide the first level of appeal for property owners who dispute the assessed value of their properties. This petition must be filed with the board of equalization on or before July 1 or within 30 days of the date the value change notice was mailed, or within a time limit of up to 60 days if an extended period has been adopted by the county. Some exceptions to the filing deadline are allowed: death or serious illness of the taxpayer or his or her immediate family; the taxpayer was absent from the address where the taxpayer normally receives the assessment or value change notice; incorrect written advice regarding filing requirements received from board of equalization staff, county assessor's staff, or staff of the county property tax advisor; a natural disaster such as flood or earthquake; or delay or loss related to the delivery of the petition by the postal service.

Summary of Engrossed Bill:

A county board of equalization may waive the property tax valuation appeal deadline if a request is made within a reasonable time after the normal filing deadline under the following circumstance: the taxpayer's property was in the revaluation area, the taxpayer was not sent a property value change notice, and the property value did not change from the previous year.

This change first applies to taxes levied for collection in 2011.

Appropriation: None.

Fiscal Note: Requested on February 11, 2010.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Change of assessed value notices go to the taxpayer when their property value changes. The catch 22 occurs when the value does not change and the taxpayer does not get a notice, but, in the mean time, the July 1 appeal deadline has passed. This bill provides a

way for the taxpayer to appeal their property value. It is a proactive fix. The assessor can provide a list to the board of equalization of all the properties that did not receive a value change notice. This will fix a problem without adding mailing cost to counties.

(Opposed) None.

Persons Testifying: Representative Orcutt, prime sponsor; and Robert Carlton, Washington Association of County Officials.

Persons Signed In To Testify But Not Testifying: None.